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| COUNSEL/PARTIES OF RECORD | |
| OCT 31, 2022 | |
| CLERK US DISTRICT COURT DISTRICT OF NEVADA | |
| BY: _____ | DEPUTY _____ |

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Attorneys for Plaintiff, Wells Fargo Bank, N.A., as Trustee for the Pooling and Servicing Agreement Dated as of August 1, 2005 Park Place Securities, Inc. Asset-Backed Pass-Through Certificates Series 2005-WHQ4

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WELLS FARGO BANK, N.A., AS TRUSTEE
 FOR THE POOLING AND SERVICING
 AGREEMENT DATED AS OF AUGUST 1,
 2005 PARK PLACE SECURITIES, INC.
 ASSET-BACKED PASS-THROUGH
 CERTIFICATES SERIES 2005-WHQ4,

Plaintiff,

vs.

FIDELITY NATIONAL TITLE INSURANCE
 COMPANY,

Defendant.

Case No.: 3:19-cv-00237-MMD-CSD

ORDER GRANTING
STIPULATION AND ORDER TO STAY
DISCOVERY PENDING RULING ON
DISPOSITIVE MOTIONS [ECF Nos. 25,
33 and 39]

Plaintiff, Wells Fargo Bank, N.A., as Trustee for the Pooling and Servicing Agreement
 Dated as of August 1, 2005 Park Place Securities, Inc. Asset-Backed Pass-Through Certificates
 Series 2005-WHQ4 (“Wells Fargo”), and Defendant Fidelity National Title Insurance Company
 (“Fidelity”, collectively, the “Parties”), by and through their counsel of record, hereby stipulate
 and agree as follows:

WHEREAS, on May 20, 2022, Wells Fargo filed its First Amended Complaint in the
 instant action [ECF No. 24];

WHEREAS, on June 8, 2022, Fidelity filed its Motion to Dismiss Wells Fargo’s First
 Amended Complaint [ECF No. 25];

1 **WHEREAS**, Fidelity’s Motion to Dismiss has been fully briefed and is pending the
2 Court’s decision [ECF No. 25 & 35];

3 **WHEREAS**, on July 21, 2022, Wells Fargo filed its Motion for Partial Summary
4 Judgment [ECF No. 33];

5 **WHEREAS**, Wells Fargo’s Motion for Partial Summary Judgment has been fully briefed
6 and is pending the Court’s decision [ECF No. 38 & 51];

7 **WHEREAS**, on August 10, 2022, Fidelity filed a Counter-Motion for Partial Summary
8 Judgment [ECF No. 39];

9 **WHEREAS**, Fidelity’s Reply in support of its Counter-Motion for Partial Summary
10 Judgment is currently due November 1, 2022 [ECF No. 55];

11 **WHEREAS**, while this Court recently issued several coverage rulings on motions to
12 dismiss and motions for partial summary judgment in other similar lender v. title insurer cases,
13 this case involves unique issues not previously raised in dispositive motions with this Court,
14 including the breach of the duty to defend;

15 **WHEREAS**, in the interests of judicial economy, the Parties would like to stay discovery
16 in this case pending the Court’s ruling on the new issues.

17 **NOW THEREFORE**, the Parties, by and through their undersigned counsel, hereby
18 stipulate and agree as follows:

- 19 1. The Parties stipulate and agree that this case shall be **STAYED** pending the Court’s
20 decision on the pending dispositive motions [ECF Nos. 25, 33 and 39];
- 21 2. Nothing contained in this stipulation will affect any pending dispositive motions or
22 prevent the Parties from filing any additional dispositive motions.
- 23 3. Each of the Parties may request a further Fed R. Civ. P. 26(f) conference at any time
24 180 days after the order granting this Stipulation.
- 25 4. By entering into this Stipulation, none of the Parties is waiving its right to subsequently
26 move the Court for an order lifting the stay in this action.

1 5. Notwithstanding this Stipulation, the Parties may continue to conduct third-party
2 discovery (including by issuing and enforcing third-party subpoenas) to preserve
3 evidence.

4 6. In the event the dispositive motions are denied, the Parties will submit a proposed
5 discovery plan within thirty (30) days of the Court's Order.

6 **IT IS SO STIPULATED.**

7 DATED this 26th day of October, 2022.

DATED this 26th day of October, 2022.

8 WRIGHT, FINLAY & ZAK, LLP

EARLY SULLIVAN WRIGHT GIZER &
McRAE LLP

10 /s/ Lindsay D. Dragon

/s/ Sophia S. Lau

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15 *Attorneys for Plaintiff, Wells Fargo Bank,*
16 *N.A., as Trustee for the Pooling and Servicing*
Agreement Dated as of August 1, 2005 Park
Place Securities, Inc. Asset-Backed Pass-
Through Certificates Series 2005-WHQ4

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Attorney for Defendant, Fidelity National
Title Insurance Company

18 **IT IS SO ORDERED.**

19
20 Dated this 31st day of October, 2022.

21 
22 _____
23 UNITED STATES DISTRICT COURT JUDGE
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